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| APPLICATION NO.                                  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/777,658                                       | 02/13/2004  | Zhong Fan            | 248796US2CRL        | 5632             |
| 22850  | 7590        | 11/16/2007           | EXAMINER            |                  |
| OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. |             |                      | HOANG, THAI D       |                  |
| 1940 DUKE STREET                                 |             |                      | ART UNIT            | PAPER NUMBER     |
| ALEXANDRIA, VA 22314                             |             |                      | 2616                |                  |
|  |             |                      | NOTIFICATION DATE   | DELIVERY MODE    |
|  |             |                      | 11/16/2007          | ELECTRONIC       |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/777,658

Applicant(s)

FAN, ZHONG

Examiner

Thai D. Hoang

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-24 is/are allowed.
- 6) ☒ Claim(s) 1-5, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 6-9 and 12 is/are objected to.
- 8) ☐ Claim(s) 25-29 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Group I in the reply filed on 09/19/2007 is acknowledged. The traversal is on the ground(s) that the MPEP § 803 states "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." This is not found persuasive because invention I and II are independent and/or distinct according to MPEP § 802.01, § 806.06, § 808.01, and § 806.05 - § 806.05(j).

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims are rejected under 35 U.S.C. 102(e) as being unpatentable by Uematsu, US Patent No. 7,075,897 B2.

Regarding claim 1, Uematsu discloses a method for resolving duplication of terminal identifiers in a wireless communication system. The method comprises the steps of:

storing a network identifier indicative of the network which the node is associated with (a terminal has address coordination table 80 that records IP addresses and physical identifiers of other terminals on the network, see figure 1, col. 6, lines 53-54, col. 7, lines 11-13);

receiving messages from other nodes and extracting network identifiers from said messages indicative of the network which the sending node is associated with (see Abstract);

comparing the received network identifier with the stored network identifier; and carrying out a duplicate address detection process where the stored network identifier is different to the received network identifier (If at step S 91 the IP address that undergoes duplication inspection is not equivalent to the IP address of the terminal of reception packet analysis part 84, part 84 investigates whether or not the IP address subject to the duplication inspection is being held in address coordination table 80 (step S93), see figs.1-2, col. 7, line 53-col. 8, line14, abstract).

Regarding claim 2, Uematsu discloses the duplicate address detection process includes sending an address request message for reception by other nodes, wherein said address request message includes a flag to indicate that the duplicate address detection process being carried out by the node is as a result of the received network identifier being different to the stored network identifier (FIG. 15 shows elements of a duplication detection packet used for detecting a duplication of IP address through Auto IP procedures. The terminal transmitting duplicate detection packets sets a special identifier indicating broadcast to all terminals for destination physical identifier 10, its

own physical identifier for sender physical identifier 11, a value representing a duplication detection packet for packet type identifier 12 and an IP address forming the subject of duplication detection for duplication detection IP address 13, see col. 1, lines 27-35.)

Regarding claims 3-4 and 10, Uematsu discloses the method comprises a step of receiving an address request message transmitted from a second node and determining whether such message includes a flag to indicate that a duplicate address detection process is being carried out by the second node as a result of the second node having received a network identifier different to a network identifier stored by it (FIG. 16 shows elements of a duplication notification packet used for notifying duplication of IP address used in Auto IP procedures. The terminal that detects duplication of IP address and sends a duplication notification packets sets the physical identifier of the terminal which transmitted duplication detection packet related to this duplication notification packet for destination physical identifier 20, sets its own physical identifier for sender physical identifier 21, sets a value representing a duplication notification packet in packet type identifier 22 and sets the detected duplicate IP address for duplication notification IP address 23, see col. 1, lines 36-46).

Regarding claim 5, Uematsu discloses the start of the duplicate address detection process is deferred for a period of time (see figure 1, duplication notification packet timer 81, abstract, col. 8, lines 13-14.)

Regarding claim 11, Uematsu discloses a terminal generates network identifier itself (col. 6, lines 63-64, col. 10, lines 52-55.)

***Allowable Subject Matter***

Claims 6-10 and 12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 13-24 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Uematsu, US Patent No. 7,075,897 B2, does not teach or fairly suggest the following features, which are recited in each independent claim of the present application:

A terminal for connecting to a network to form a node comprising:

a memory for storing a network identifier indicative of the network which the node is associated with;

a receiver for receiving messages from other nodes and extracting from said messages a network identifier indicative of the network which the sending node is associated with;

a comparator for comparing a received network identifier with the stored network identifier; and

a controller for carrying out a duplicate address detection process where the comparator indicates that the stored network identifier is different to the received network identifier as recited in claim 13.

Claims 14-24 are allowed because they depend on allowed claim 13.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sorensen, US Patent No. 7,016,336 B2, "Administrative domains for personal area networks."

Mizutani et al., US Patent No. 6,907,257 B1, "Method and apparatus for searching for radio station for wireless ad hoc communication network."

Rune et al., US PG-PUB No. 2004/0167988 A1, "Bridging between a Bluetooth scatter net and an Ethernet LAN."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D. Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-6:30pm.

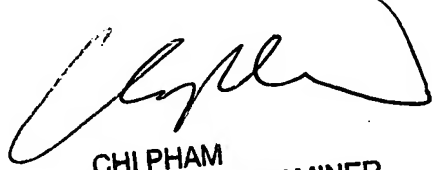
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T.H./

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
11/13/07